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10/731,994	12/09/2003	Khatoun Shahrubaki	34874-068 UTIL	5871
64280 7590 02/11/2008 MINTZ, LEVIN, COHN, FERRIS, GLOVSKY & POPEO, P.C. 5355 Mira Sorrento Place SUITE 600 SAN DIEGO, CA 92121				
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KE, PENG				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/731,994

Applicant(s)

SHAHBABAKI ET AL.

Examiner

SIMON KE

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/31/07 has been entered.

Claims 1-22 are pending in this application. Claims 1, 11, 21, and 22 are independent claims. In the Amendment, filed on 10/31/07, claim 22 was added.

Claim Rejections - 35 USC § 101

35 U.S.C. § 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

As set forth in MPEP 2106 (II) (A):

The claimed invention as a whole must accomplish a practical application. That is, it must produce a "useful, concrete and tangible result." State Street, 149 F.3d at 1373, 47 USPQ2d at 1601-02. The purpose of this requirement is to limit patent protection to inventions that possess a certain level of "real world" value, as opposed to subject matter that represents nothing more than an idea or concept, or is simply a starting point for future investigation or research (Brenner v. Manson, 383 U.S. 519, 528-36, 148 USPQ 689, 693-96); In re Ziegler, 992, F.2d 1197, 1200-03, 26 USPQ2d 1600, 1603-06 (Fed. Cir. 1993)). Accordingly, a complete disclosure should contain some indication of the practical application for the claimed invention, i.e., why the applicant believes the claimed invention is useful.

Apart from the utility requirement of 35 U.S.C. 101, usefulness under the patent eligibility standard requires significant functionality to be present to satisfy the useful result aspect of the practical application requirement. See Arrhythmia, 958 F.2d at 1057, 22 USPQ2d at 1036. Merely claiming nonfunctional descriptive material stored in a computer-readable medium does not make the invention eligible for patenting. For example, a claim directed to a word processing file stored on a disk may satisfy the utility requirement of 35 U.S.C. 101 since the information stored may have some "real world" value. However, the mere fact that the claim may satisfy the utility requirement of 35 U.S.C. 101 does not mean that a useful result is achieved under the practical application requirement. The claimed invention as a whole must produce a "useful, concrete and tangible" result to have a practical application.

As set forth in MPEP 2106 (IV) (B) (1):

Claims to computer-related inventions that are clearly nonstatutory fall into the same general categories as nonstatutory claims in other arts, namely natural phenomena such as magnetism, and abstract ideas or laws of nature which constitute "descriptive material." Abstract ideas, Warmerdam, 33 F.3d at 1360, 31 USPQ2d at 1759, or the mere manipulation of abstract ideas, Schrader, 22 F.3d at 292-93, 30 USPQ2d at 1457-58, are not patentable. Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." In this context, "functional descriptive material" consists of data structures and computer programs which impart functionality when employed as a computer component. (The definition of "data structure" is "a physical or logical relationship among data elements, designed to support specific data manipulation functions." The New IEEE Standard Dictionary of Electrical and Electronics Terms 308 (5th ed. 1993).) "Nonfunctional descriptive material" includes but is not limited to music, literary works and a compilation or mere arrangement of data. Both types of "descriptive material" are nonstatutory when claimed as descriptive material per se. Warmerdam, 33 F.3d at 1360, 31 USPQ2d at 1759. When functional descriptive material is recorded on some computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Compare In re Lowry, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994) (claim to data structure stored on a computer readable medium that increases computer efficiency held statutory) and Warmerdam, 33 F.3d at 1360-61, 31 USPQ2d at 1759 (claim to computer having a specific data structure stored in memory held statutory product-by-process claim) with Warmerdam, 33 F.3d at 1361, 31 USPQ2d at 1760 (claim to a data structure per se held nonstatutory).

Claims 11-17 and 21 are directed to non-statutory subject matter.

As per claims 11-17 and 21 each claim represents an algorithm of manipulating a GUI structure comprising a step of converting one structure from one view to another. Each of the claims does not show any useful result ensued or any utility applied. However, a tangible, concrete and useful result is required in a **practical application test**. The consequence is non-statutory.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(c) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 21 is rejected under 35 U.S.C. 102(c) as being anticipated by Lee US Patent 7,017,122.

As per claim 22, Lee teaches a computer program product, tangibly embodied on a computer-readable storage medium, the computer program product comprising instructions to perform operations comprising:

generating graphical structures for each object to be represented in a graphical user interface (GUI), each object being represented by one or more of the graphical structures, each object being assigned to an object group from a plurality of object groups, each of the object groups being assigned a distinct graphic pattern, and the graphical structures are user interface components comprising at least one user interface control; (see Lee figure 6, col. 3, lines 25-col. 4, lines 35)

generating the GUI having first, second, and third graphic patterns for first, second, and third background regions, respectively, wherein: (see Lee figure 6, col. 3, lines 25-col. 4, lines 35)

the object groups comprise a first object group assigned the first graphic pattern, a second object group assigned the second graphic pattern distinct from the first graphic pattern, and a third object group assigned the second graphic pattern distinct from the first and second graphic patterns; (see Lee figure 6, col. 3, lines 25-col. 4, lines 35)

the first, second, and third background regions are concurrently displayed on a same plane of user interaction such that display of the first, second, and third background regions are not affected by user interaction with graphical structures of any of the first, second, and third background regions; the first, second, and third background regions surround graphical structures of each corresponding background region; (see Lee figure 6, col. 3, lines 25-col. 4, lines 35) and

overlapping background regions reflect relationships between objects of graphical structures in each of the first, second, and third background regions, the relationships comprising:

a first relationship of the first background region being a first hierarchical level reflecting graphical structures of the first background region representing objects assigned to the first hierarchical level; (see Lee figure 6, col. 3, lines 25-col. 4, lines 35)

a second relationship of the second background region being a second hierarchical level reflecting graphical structures of the second background region representing objects assigned to the second hierarchical level and being higher in a hierarchy than the first hierarchical level, the second background region surrounding the first background region when the graphical structures of the first background region are within the confines of the second background region; (see Lee figure 6, col. 3, lines 25-col. 4, lines 35) and

a third relationship of the third background region being a third hierarchical level reflecting graphical structures of the third background region representing objects assigned to the third hierarchical level and being higher in the hierarchy than the first and second hierarchical levels, the third background region surrounding the second background region when the graphical structures of the second background region are within the confines of the third background region. (see Lee figure 6, col. 3, lines 25-col. 4, lines 35)

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Westerman ("Westerman" US Patent No. 6,404,443) in view of Young ("Young" US Patent No. 6,177,933) and Becker et al. ("Becker" US Patent No. 6,981,223). Regarding independent c

Claim 1, Westerman teaches a method of generating a graphical user interface (GUI) (i.e. col. 4 lines 30-33 of Westerman : "These elements are those typically found in most general purpose computers, and in fact, computer 48 is intended to be representative of abroad category of data processing devices capable of generating graphic displays"),

the method comprising: grouping objects into object groups (i.e. col. 1 lines 41-42 of Westerman : "The windows are used to classify the objects in groups, according to the user's choice");

defining an arrangement for a plurality of the object groups (i.e. col. 5 lines 66-67 of Westerman : "The user interface of the invention includes means for defining a plurality of data structures that are called planes"; col. 4 lines 58-60 of Westerman : "As has been mentioned, the present invention provides a graphical user interface for managing a plurality of screen objects"), each object group corresponding (i.e. col. 6 lines 53-57 of Westerman : "The preferred means for selecting is by including means for displaying an identifying tab for each plane, and means

for activating the tab corresponding to the plane that is desired to be selected"); assigning a graphic pattern (i.e. col. 6 lines 22-25 of Westerman : " The interface of the invention also includes means for assigning each screen object to a specific one of the planes, such that at least two planes receive at least one object each"; col. 10 lines 4-6 of Westerman : " In addition, upon selection of a plane the tab corresponding to the selected plane is displayed more prominently than the other tabs") that is distinct (i.e. col. 1 lines 34-36 of Westerman : "More specifically, visually distinct display objects are provided on the display screen, and are commonly referred to as "icons""); generating a graphical structure (i.e. col. 8 lines 24-25 of Westerman : " Each group of data can be a window descriptor structure, which is used in creating the display") for each object to be represented in the GUI (i.e. col. 3 lines 14-17 of Westerman : " a diagram of a sample data structure for implementing the graphical user interface of the present invention, in parallel with a box representation of the screen objects that have been placed in the interface, and their attributes while in the interface"); generating a background region for the GUI for and generating the GUI (i.e. col. 5 lines 19-21 of Westerman : " The frame is preferably shown colored in a sharp color contrast from the background color of second portion 84"). Westerman does not teach a relationship in the arrangement, grouping graphical user interface objects into object groups based on assigned graphic pattern for the corresponding relationship for the object group or generating a GUI having at least two concurrently displayed and non-overlapping background regions each including, one or more related graphical structures.

Young teaches a relationship in the arrangement (i.e. col. 7 lines 11-30 of Young : "A computer-implemented method for providing visual continuity when displaying related

information on a computer monitor, comprising: retrieving a first set of data stored in a first electronic file and a second set of data stored in a second electronic file, the second set of data having a generative relationship to the first set of data; arranging the first set of data on a first page and the second set of data on a second page by tracking the first set of data and aligning the second set of data on the second page based on an arrangement of the first set of data on the first page; assigning a first display location to the first page and a second display location to the second page so that as a first one of the first and second pages is displayed on a computer monitor the first one of the first and second pages appears to substantially overlay a second one of the first and second pages; and displaying the first one of the first and second pages on the computer monitor").

It would have been obvious to an artisan at the time of the invention to combine the relationship in the arrangement of Young into the method of generating a GUI of Westerman. Said artisan would have been motivated to combine Young into Westerman to allow for retaining visual continuity between data sets displayed on a computer monitor. (i.e. see col. 2 line 2 et seq. of Young)

Becker teaches grouping graphical user interface objects into object groups based on assigned graphic pattern for the corresponding relationship for the object group or generating a GUI having at least two concurrently displayed and non-overlapping background regions each including, one or more related graphical structures (i.e. FIG. 1 et seq. of Becker).

It would have been obvious to an artisan at the time of the invention to integrate the grouping of interface objects with corresponding graphic patterns of Becker into the object

groups of Westerman as modified by Young. Said artisan would have been motivated to combine Becker into the modified Westerman to establish a customized environment pattern (such as color, texture, etc.) for the user to indicate different object groupings and states of objects (i.e. see col. 7 line 10 et seq. of; Becker).

Regarding dependent claim 2, Westerman, in combination with Young and Becker teaches the method in accordance with claim 1, further comprising displaying the GUI (i.e. col. 1 lines 8-11 of Westerman : " displaying information graphically, and more particularly, the present invention relates to a computer controlled display system for managing and displaying screen objects on a computer screen").

Regarding dependent claim 3, Westerman, in combination with Young and Becker teaches the method in accordance with claim 1, wherein the graphic pattern represents a color to be displayed in a background region (i.e. col. 5 lines 19-21 of Westerman : "The frame is preferably shown colored in a sharp color contrast from the background color of second portion 84")..

Regarding dependent claim 4, Westerman, in combination with Young and Becker teaches the method in accordance with claim 3, wherein each relationship in the arrangement is assigned a different color (i.e. col. 5 lines 19-21 of Westerman : " The frame is preferably shown colored in a sharp color contrast from the background color of second portion 84").

Regarding dependent claim 5, Westerman, in combination with Young and Becker teaches the method in accordance with claim 4, wherein the different color is progressively lighter or darker according to the significance of the relationship in the arrangement (i.e. col. 5 lines 33-34 of Westerman : "Of those, tab 120 is highlighted, while the others are obscured in comparison").

Regarding dependent claim 6, Westerman, in combination with Young and Becker teaches the method in accordance with claim 1, wherein the graphic pattern represents a shading pattern to be displayed in a background region (i.e. col. 3 lines 58- 60 of Young : " Other techniques to highlight property overrides may include shading, font selection, animation, and transparent overlays").

Regarding dependent claim 7, Westerman, in combination with Young and Becker teaches the method in accordance with claim 6, wherein the shading pattern includes a plurality of lines (i.e~ col. 7 lines 23-25 of Westerman : "That is why that plane is shown in dot-dashed lines, instead of just dashed lines as the remaining planes 210, 240").

Regarding dependent claim 8, Westerman, in combination with Young and Becker teaches the method in accordance with claim 6, wherein the shading pattern includes a color (i.e. col. 3 line 66-col. 4 line 3 of Young : " For example, if a font property and a pagination property had property overrides, the "Font" tab 242 and "Pagination" tab 244 may be shaded or the tab labels displayed using the color red").

Regarding dependent claim 9, Westerman, in combination with Young and Becker teaches the method in accordance with claim 1, wherein at least one graphical structure is selectable by a user of the GUI for interaction (i.e. col. 10 lines 1-2 of Westerman : "All such displayed objects of the selected plane are selectable").

Regarding dependent claim 10, Westerman, in combination with Young and Becker teaches the method in accordance with claim 1, wherein the arrangement is a hierarchy (i.e. col. 5 lines 10-13 of Young : " In a document having a hierarchical structure, styles associated with the selected text may be inherited by the selected text and stored in one or more data structures") and each relationship in the hierarchy is a level in the hierarchy (i.e. col. 5 lines 63-66 of Young : "a template definition that includes one instance of a group title 670, two instances of a level 1 entry 672, and two instances of a level 2 entry 674").

Regarding independent claim 11, Westerman teaches a graphical user interface (GUI), comprising: one or more background regions displayed in the GUI, wherein each background region is based on a graphic pattern that is distinct (i.e. col. 5 lines 19-21 of Westerman : "The frame is preferably shown colored in a sharp color contrast from the background color of second portion 84"), and the graphic pattern is assigned (i.e. col. 7 lines 16-18 of Westerman : " The interface of the invention further includes means for displaying in viewport display area 82 at least one of the objects assigned to selected plane 220") in an arrangement defined (i.e. col. 5 lines 66-67 of Westerman : "The user interface of the invention includes means for defining a

plurality of data structures that are called planes") for a plurality of object groups (i.e. col. 1 lines 41-42 of Westerman : "The windows are used to classify the objects in groups, according to the user's choice"), and wherein each object group includes one or more objects; and one or more graphical structures displayed in the GUI (i.e. col. 8 lines 24-25 of Westerman : " Each group of data can be a window descriptor structure, which is used in creating the display"),each graphical structure .representing one of the one or more objects and being disposed in at least One of the one or more background regions corresponding (i.e. col. 5 lines 19-21 of Westerman : " The frame is preferably shown colored in a sharp color contrast from the background color of second portion 84"). Westerman does not teach a relationship in the arrangement, concurrently displayed regions or two or more non-overlapping background regions.

Young teaches a relationship in the arrangement (i.e. col. 7 lines 11-30 of young : "A computer-implemented method for providing visual continuity when displaying related information on a computer monitor, comprising: retrieving a first set of data stored in a first electronic file and a second set of data stored in a second electronic file, the second set of data having a generative relationship to the first set of data; arranging the first set of data on a first page and the second set of data on a second page by tracking the first set of data and aligning the second set of data on the second page based on an arrangement of the first set of data on the first page; assigning a first display location to the first page and a second display location to the second page so that as a first one of the first and second pages is displayed on a computer monitor the first one of the first and second pages appears to substantially overlay a second one

of the first and second pages; and displaying the first one of the first and second pages on the computer monitor"). It would have been obvious to an artisan at the time of the invention to combine the relationship in the arrangement of Young into the method of generating a GUI of Westerman. Said artisan would have been motivated to combine Young into Westerman to allow for retaining visual continuity between data sets displayed on a computer monitor. (i.e. see col. 2 line 2 et. seq. of Young).

Becker teaches concurrently displayed regions or two or more non-overlapping background regions (i.e. FIG. 1 et seq. of Becker). It would have been obvious to an artisan at the time of the invention to integrate the background regions of Becker into the object groups of Westerman as modified by Young. Said artisan would have been motivated to combine Becker into the modified Westerman to establish a customized environment pattern (such as color, texture, etc.) for the user to indicate different object • groupings and states of objects (i.e. see col. 7 line 10 et seq. of Becker).

Claim 12 is similar in scope to claim 3, differing primarily in that claim 12 is directed towards a GUI and claim 3 is directed toward a method, and is therefore rejected under similar rationale.

Claim 13 is similar in scope to claim 4, differing primarily in that claim 13 is directed towards a GUI and claim 4 is directed toward a method, and is therefore rejected under similar

rationale.

Claim 14 is similar in scope to claim 5, differing primarily in that claim 14 is directed towards a GUI and claim 5 is directed toward a method, and is therefore rejected under similar rationale.

Claim 15 is similar in scope to claim 6, differing primarily in that claim 15 is directed towards a GUI and claim 6 is directed toward a method, and is therefore rejected under similar rationale.

Claim 16 is similar in scope to claim 7, differing primarily in that claim 16 is directed towards a GUI and claim 7 is directed toward a method, and is therefore rejected under similar rationale.

Claim 17 is similar in scope to claim 8, differing primarily in that claim 17 is directed towards a GUI and claim 8 is directed toward a method, and is therefore rejected under similar rationale.

Claim 18 is similar in scope to claim 9, differing primarily in that claim 18 is directed towards a GUI and claim 9 is directed toward a method, and is therefore rejected under similar rationale.

Claim 19 is similar in scope to claim 10, differing primarily in that claim 19 is directed towards a GUI and claim 10 is directed toward a method, and is therefore rejected under similar rationale.

Regarding independent claim 20, Westerman teaches a method of generating a graphical user interface (GUI), the method comprising: grouping objects into object groups (i.e. col. 1 lines 41-42 of Westerman : "The windows are used to classify the objects in groups, according to the user's choice"); assigning a graphic pattern that is distinct for at least one object group (i.e. col. 6 lines 22-25 of Westerman : "The interface of the invention also includes means for assigning each screen object to a specific one of the planes, such that at least two planes receive at least one object each"); generating a graphical structure for each object to be represented in the GUI (i.e. col. 8 lines 24-25 of Westerman : "Each group of data can be a window descriptor structure, which is used in creating the display"); generating a background region for the GUI associated with an object group, wherein the background region is based on the distinct graphic pattern corresponding to the object group; and generating the GUI, within the background region (i.e. col. 5 lines 19-21 of Westerman : "The frame is preferably shown colored in a sharp color contrast from the background color of second portion 84") and the GUI is configured to be modified by a user (i.e. col. 3 lines 55-58 of Westerman : "This apparatus may be specially constructed for the required purposes, or it may comprise a general purpose computer selectively activated or reconfigured by a computer program stored in the computer"). Westerman does not teach related graphical structures, visually distinct concurrently displayed regions or two or more

non- overlapping background regions.

Young teaches related graphical structures (i.e. col. 7 lines 11-30 of Young : "A computer-implemented method for providing visual continuity when displaying related information on a computer monitor, comprising: retrieving a first set of data stored in a first electronic file and a second set of data stored in a second electronic file, the second set of data having a generative relationship to the first set of data; arranging the first set of data on a first page and the second set of data on a second page by tracking the first set of data and aligning the second set of data on the second page based on an arrangement of the first set of data on the first page; assigning a first display location to the first page and a second display location to the second page so that as a first one of the first and second pages is displayed on a computer monitor the first one of the first and second pages appears to substantially overlay a second one of the first and second pages; and displaying the first one of the first and second pages on the computer monitor").

It would have been obvious to an artisan at the time of the invention to combine the related graphical structures of Young into the method of generating a GUI of Westerman. Said artisan would have been motivated to combine Young into Westerman for retaining visual continuity between data sets displayed on a computer monitor. (i.e. see col. 2 line 2 et seq. of Young).

Becker teaches visually distinct concurrently displayed regions or two or more non-overlapping background regions (i.e. FIG. 1 et seq. of Becker). It would have been obvious to an

artisan at the time of the invention to integrate the background regions of Becker into the object groups of Westerman as modified by Young. Said artisan would have been motivated to combine Becker into the modified Westerman to establish a customized environment pattern (such as color, texture, etc.) for the user to indicate different object groupings and states of objects (i.e. see col. 7 line 10 et seq. of Becker).

Regarding independent claim 21, Westerman teaches a graphical user interface (GUI), comprising: the graphic pattern being assigned to a relationship in an arrangement defined for a plurality of object groups, each object group including one or more graphical user interface objects (i.e. see FIG. 3 et seq. of Westerman).

Young teaches a a relationship in the arrangement(i.e. col. 7 lines 11-30 of Young : "A computer-implemented method for providing visual continuity when displaying related information on a computer monitor, comprising: retrieving a first set of data stored in a first electronic file and a second set of data stored in a second electronic file, the second set of data having a generative relationship to the first set of data; arranging the first set of data on a first page and the second set of data on a second page by tracking the first set of data and aligning the second set of data on the second page based on an arrangement of the first set of data on the first page; assigning a first display location to the first page and a second display location to the second page so that as a first one of the first and second pages is displayed on a computer monitor the first one of the first and second pages appears to substantially overlay a second one of the first and second pages; and displaying the first one of the first and second pages on the computer monitor"). It would have been obvious to an artisan

at the time of the invention to combine the relationship in the arrangement of Young into the method of generating a GUI of Westerman. Said artisan would have been motivated to combine Young into Westerman to allow for retaining visual continuity between data sets displayed on a computer monitor. (i.e. see col. 2 line 2 et seq. of Young).

Becker teaches two or more background regions concurrently displayed in the GUI, each background region being based on an opaque graphic pattern that is distinct, the two or more background regions being arranged so that they do not overlap, with at least one of the background regions circumferentially surrounding one other background region; and one or more graphical structures displayed in the GUI, each graphical structure representing one of the one or more objects and being disposed in at least one of the two or more concurrently displayed background regions corresponding to the relationship of the object (i.e. see FIG. 1 et seq. of Becker). It would have been obvious to an artisan at the time of the invention to integrate, the background regions of Becker into the object groups of Westerman as modified by Young. Said artisan would have been motivated to combine Becker into the modified Westerman to establish a customized environment pattern (such as color, texture, etc.) for the user to indicate different object groupings and states Of objects (i.e. see col. 7 line 10 et seq. of Becker).

Response to Argument

Applicant's arguments with respect to claims 1-22 have been considered but are deemed to be moot in view of the new grounds of rejection.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SIMON KE whose telephone number is (571)272-4062. The examiner can normally be reached on M-Th and Alternate Fridays 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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